UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,422	02/13/2004	Robert H. Wollenberg	T-6318 (538-68)	9056

7590 05/15/2006

Michael E. Carmen, Esq.
M. CARMEN & ASSOCIATES, PLLC
Suite 400
170 Old Country Road
Mineola, NY 11501

EXAMINER	
WALLENHORST, MAUREEN	
ART UNIT	PAPER NUMBER
1743	

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/779,422	WOLLENBERG, ROBERT H.	
	Examiner	Art Unit	
	Maureen M. Wallenhorst	1743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-34 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-34 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5/18/04, 2/16/06.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because of the inclusion of legal phraseology such as "comprising". Correction is required. See MPEP § 608.01(b).

3. Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In part (b) of claim 1, the phrase "the deposit formation" lacks antecedent basis.

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 1-4, 17-18 and 34 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 17-18, 20, 22-25 and 27-28 of copending Application No. 10/699,529. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims recite a high throughput method for screening lubricating oil composition samples under program control that comprise the steps of providing a plurality of different lubricating oil composition samples, each sample comprising a major amount of at least one base oil of lubricating viscosity and a minor amount of at least one lubricating oil additive, measuring a property of each sample and outputting the results to form a library of data for the plurality of lubricating oil composition samples. The claims of application serial no. 10/699,529 recite that the property data that is measured for the lubricating oil compositions is oxidation stability data rather than deposit formation data. However, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to realize that the oxidation stability data measured in the claims of application serial no. 10/699,529 would include data on the formation of deposits in a lubricating oil since the oxidation of an oil causes the formation of deposits therein.

6. Claims 1-5, 6-9, 15-19 and 24-30 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6-7, 9-12, 14-15, 18-23, 26-27, 29-32, 34-35 and 38-45 of copending Application No. 10/699,507. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims recite a high throughput method and system for screening lubricating oil

composition samples under program control that comprise the steps of providing a plurality of different lubricating oil composition samples, each sample comprising a major amount of at least one base oil of lubricating viscosity and a minor amount of at least one lubricating oil additive, measuring a property of each sample and outputting the results to form a library of data for the plurality of lubricating oil composition samples. The claims of application serial no. 10/699,507 recite that the property data that is measured for the lubricating oil compositions is storage stability data that includes sedimentation formation measurements. Therefore, the instant claims, which recite the measurement of deposit formation data, are commensurate in scope with the sedimentation formation measurements recited in the claims of application serial no. 10/699,507 since sediments and deposits constitute the same thing.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7. Claims 1-4, 17-18 and 24-30 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6, 11-12, 15-18 and 20-23 of copending Application No. 10/699,508. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims recite a high throughput method and system for screening lubricating oil composition samples under program control that comprise the steps of providing a plurality of different lubricating oil composition samples, each sample comprising a major amount of at least one base oil of lubricating viscosity and a minor amount of at least one lubricating oil additive, measuring a property of each sample and outputting the results to form a library of data for the plurality of lubricating oil composition samples. The claims of application serial no. 10/699,508 recite that

the property data that is measured for the lubricating oil compositions is oxidation stability data, which is measured by determining the degree of deposit formation on a transparent substrate with a light source. Therefore, the instant claims, which recite the measurement of deposit formation data, are commensurate in scope with the deposit formation measurements recited in the claims of application serial no. 10/699,508.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-9 and 15-34 are rejected under 35 U.S.C. 102(e) as being anticipated by either reference to Wollenberg et al (US 2005/0095716 or US 2005/0095717).

Both references to Wollenberg et al teach of a high throughput screening method and system for determining the storage stability and oxidation stability of a plurality of lubricating oil compositions, wherein each of the compositions comprise a major amount of at least one base oil of lubricating viscosity and a minor amount of at least one lubricating oil additive. The base oil is derived from either a natural or synthetic lubricating oil. The oil additives can be antioxidants, anti-wear agents, detergents, ashless dispersants etc. See paragraph no 0023 in US 2005/0095716. The lubricating oil additive can further contain a diluent oil to form an additive concentrate. The plurality of lubricating oil samples is held within transparent recesses 132 in a

block 131. The recesses provide test reservoirs wherein each reservoir contains lubricating oil additive compositions or lubricating oil compositions of a different and predetermined composition, i.e. the percentage and/or type of base oil and/or additives in each composition will vary from one reservoir to another. The sample size in each reservoir is generally no more than 20 ml, 15 ml, 10ml or 5 ml. See paragraph nos. 0055-0056 in US 2005/0095716. Dispensing nozzles 113 serve to dispense the lubricating base oil and additives to the reservoirs. A robotic mechanism with programmable movement is used to move the nozzles 113 and reservoirs relative to one another. The robotic mechanism can include a slidable carriage to move the reservoirs, or can include a movable arm 351 with a grasping mechanism 352. The robotic arm is adapted to grasp an individual test receptacle 312 and move it to a position in a testing station 329 between a light source 321 and a photocell 322 so that it can be measured for sedimentation. The robotic arm also is adapted to agitate the sample. See paragraph no. 0068 in US 2005/0095716. The plurality of samples is analyzed for storage stability and oxidation data such as through measurements of sedimentation in the samples. In one embodiment, a light source 221 is disposed on one side of the frame holding the test reservoirs and a photocell 222 is disposed on the opposite side of the frame. The light transmitted through or scattered by each of the samples in the reservoirs is measured, and the results are sent to a computer controller 230, which receives the signals as data input. The computer controller also controls movement of the samples via a signal line so that the samples are sequentially moved into a position between the light source and the photocell upon computer command. See paragraph no. 0061 in US 2005/0095716. The samples are maintained at predetermined temperatures for a predetermined time to test for the formation of sediment therein. Sedimentation tends to form a haze or floc,

which increases the opacity or light scattering of the samples. A bar code 313 can be assigned to each individual test receptacle 212 and the sample contained therein. The bar code 313 is read by a standard bar code reader 325 at each measurement to ensure that the data obtained from the sedimentation measurement corresponds to the appropriate sample. Storage stability data regarding the lubricating oil compositions is stored in a database to provide a combinatorial lubricating oil composition library. See paragraph no. 0072 in US 2005/0095716.

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. Claims 1-5, 10, 15-16, 19-27 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolosov et al (US 2004/0123650, submitted in the Information Disclosure Statement filed on February 16, 2006) in view of Gatto (US 2003/0171226).

Kolosov et al teach of a high throughput testing method and apparatus for the screening of a library of material samples. The method and apparatus involve combinatorial chemistry that

refers to the synthesis of a collection of diverse materials, and the screening of the materials for desirable performance characteristics and properties. The combinatorial approach can effectively evaluate much larger numbers of diverse compounds in a much shorter period of time. The apparatus taught by Kolosov et al includes a plurality of samples supported in wells on a substrate. Kolosov et al teach that the invention can be used to screen libraries of any flowable material that may be a commercial product itself or may be a portion of a commercial product. Exemplary commercial products that can be tested with the apparatus taught by Kolosov et al include lubricants and oils. The invention can be used to analyze the resulting properties of a particular flowing material, and to analyze the relative or comparative effects that an additive has upon a particular flowable material. Additives in a flowable material to be tested include a detergent, a flow modifier, etc. See paragraph nos. 0042-0043 in Kolosov et al. The screening for the effects of different additives upon the characteristics of a flowing material is performed by measuring various properties of the material samples present in the wells on the substrate. Properties measured include the viscosity, the density, the thermal degradation, the aging characteristics, the chemical composition and the agglomeration or sedimentation of the material samples. See paragraph no. 0065 in Kolosov et al. Once the characterizing properties of the samples are determined, the results may be mathematically combined in various combinations to provide figures of merit for the properties of interest. See paragraph no. 0066 in Kolosov et al. The sample size of each sample in the wells on the substrate is typically no greater than about 20 ml, more preferably no greater than about 5 ml, and most preferred, no greater than about 0.5 ml. See paragraph no. 0054 in Kolosov et al. To form an array of samples on the substrate, Kolosov et al teach that the samples and additives are dispensed into the wells with

any suitable dispensing apparatus (i.e. an automated micropipette or capillary dispenser). The dispensing apparatus may have a heated tip, thus providing heating of the samples. Each sample is dispensed to an individually addressable region in the substrate. See paragraph no. 0053 in Kolosov et al. The plurality of samples can vary in number depending upon the intended use of the method, and the plurality of samples can form a library. A library comprises an array of two or more different samples spatially separated on a common substrate. Candidate samples within a library may differ in a definable and predefined way, such as in chemical structure, processing, mixtures of interacting components, the relative amounts of the components, the presence of additives and other reactant materials, etc. The samples are spatially separated on the substrate such that an array of samples is separately addressable for characterization thereof. The two or more samples can reside in separate containers formed as wells in a surface of a substrate or can be simply dispensed onto a common planar substrate. See paragraph no. 0057 in Kolosov et al. The apparatus taught by Kolosov et al comprises a stimulus generator 12 that applies power to a probe 14 for applying a stimulus to one or more samples 16 in the array or library of samples. The apparatus also includes a sensor or transducer 20 for monitoring a response of one or more of the samples 16 to the stimulus. The transducer 20 and the stimulus generator 12 are both in communication with a computer sub-system 23 such as a microprocessor or other computer for manipulating data. The computer sub-system 23 may be employed to receive and store data such as responses of samples 16, material properties of samples, etc. Additionally, the computer sub-system may be employed to command other components of the system such as the stimulus generator and the dispensing means, as well as to correlate responses of samples 16 to their respective material properties. See paragraph nos. 0067-0068 in Kolosov et al. The probe 14

may be translated, rotated, reciprocated or oscillated within the samples so as to mix the samples and subject them to different forces. See paragraph no. 0070 in Kolosov et al. For contacting the probe 14 and dispensing means with the samples 16, the samples may be moved relative to the probe 14, or alternatively, the probe 14 may be moved relative to the samples 16. Combinations of these motions may also occur serially or simultaneously. An automated system may be used to move the one or more probes and the dispensing means serially or simultaneously to the various samples of a library. A suitable automated system is a robotic system such as an XYZ robot arm that has a multiple axis range of motion such as in the orthogonal X, Y, and Z coordinate axes system. This automated system is part of or in communication with the computer sub-system 23. See paragraph nos. 0073-0074 in Kolosov et al. Kolosov et al also teach that a plurality of control samples having known material properties are also monitored in the libraries along with the samples so that the responses of the samples can be compared with the known material properties of the controls. The responses of the samples in the library can be related to the known material properties by a mathematical relationship. Kolosov et al fail to teach that the lubricants containing additives therein in the combinatorial array can be screened for deposit formation by weighing the amount of deposits formed by the compositions on a substrate over time.

Gatto teaches of a method for determining the stability of a lubricant oil composition by measuring the deposits formed by the sample under high-temperature thin-film oxidation conditions. See paragraph no. 0065 in Gatto. Gatto teaches that under oxidation conditions, lubricant oil compositions form deposits over time on a substrate. A sample of oil can be weighed onto a substrate, i.e. a carbon steel sample holder, and then immersed in a high

temperature bath where air is passed over the substrate. At specific time intervals, the sample holders are removed from the high temperature bath, and the sample holders and collected deposits are weighed to determine the amount of deposit formed at the sampling interval. Results are reported as the percent of oil sample forming deposit at a specific time interval.

Based upon the combination of Kolosov et al and Gatto, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to screen the lubricant/additive compositions in the combinatorial array taught by Kolosov et al for deposit formation since Kolosov et al teach that the plurality of samples in the array are screened for various material characteristics such as the formation of sediments (i.e. deposits) therein, and Gatto teaches that it is common to screen lubricating oil compositions for their formation of deposits on a substrate over time when exposed to an oxidizing environment.

13. Claims 1-9, 15-16, 19-28 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolosov et al in view of Tolvanen et al (US Patent no. 5,715,046). For a teaching of Kolosov et al, see previous paragraphs in this Office action. Kolosov et al fail to teach that the sediments or deposits that form in the plurality of lubricating oil compositions present in the combinatorial array can be measured by determining light scattering or transmission through the samples.

Tolvanen et al teach that the stability of lubricating oil compositions can be determined by measuring the intensity of light scattering from the oil sample surface. The light scattering measurement serves to detect agglomerated particles (i.e. deposits) in the sample. See lines 1-4 and 52-65 in column 2 of Tolvanen et al.

Based upon a combination of Kolosov et al and Tolvanen et al, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to screen the lubricant/additive compositions in the combinatorial array taught by Kolosov et al by optically measuring the formation of sediments in each of the samples with light scattering since Kolosov et al teach that the plurality of samples in the array are screened for various material characteristics such as the formation of deposits therein, and Tolvanen et al teach that the measurement of light scatter in an oil sample can be efficiently used to measure the stability of the oil sample by detecting agglomerated particles (i.e. deposits) therein.

14. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolosov et al in view of Gatto as applied to claims 1-5, 10, 15-16, 19-27 and 31-34 or over Kolosov et al in view of Tolvanen et al as applied to claims 1-9, 15-16, 19-28 and 31-34 above, and further in view of Smrcka et al (EP 1,233,361). For a teaching of Kolosov et al, Gatto and Tolvanen et al, see previous paragraphs in this Office action. Kolosov et al fail to teach that the results of testing the plurality of lubricating oil compositions can be stored in a data carrier or transmitted to a remote location.

Smrcka et al teach of a system and method for managing information pertaining to new product development. The method comprises the steps of testing a new chemical product, and storing the results in a data carrier such as a computer readable medium. All the data obtained through testing of a chemical product is stored in a central database. Remote access to the database is available globally from any personal computer having suitable client software installed and suitable network connectivity. See paragraph nos. 0011 and 0038 in Smrcka et al.

Based upon the combination of Kolosov et al, Gatto and Smrcka et al or Kolosov et al, Tolvanen et al and Smrcka et al, it would have been obvious to one of ordinary skill in the art to store the results of testing the plurality of lubricating oil compositions taught by Kolosov et al in a data carrier that is available from a remote access site since Smrcka et al teach that it is advantageous to store the results of testing for products being newly developed on a computer readable data carrier that is available from a remote access site in order to share and disseminate the information concerning the new product to anyone in the world researching that product.

15. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolosov et al in view of Gatto as applied to claims 1-5, 10, 15-16, 19-27 and 31-34 or over Kolosov et al in view of Tolvanen et al as applied to claims 1-9, 15-16, 19-28 and 31-34 above, and further in view of Garr et al (US Patent no. 5,993,662). For a teaching of Kolosov et al, Gatto and Tolvanen et al, see previous paragraphs in this Office action. Kolosov et al fail to teach that each of the individual test containers that hold the lubricant samples have a bar code attached thereto.

Garr et al teach that it is common in a combinatorial library of reaction products arranged in an array to have each individual reaction container identified by a unique code such as a bar code, which is optically readable. The code can also be stored in the memory of a digital signal processor on a database. See lines 3-10 in column 4 of Garr et al.

Based upon the combination of Kolosov et al, Gatto and Garr et al or Kolosov et al, Tolvanen et al and Garr et al, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to label each of the individual test containers in the combinatorial array taught by Kolosov et al with a bar code since Garr et al teach that it is common in the combinatorial library art to uniquely label individual members of the library with a bar code so

as to be able to identify and distinguish the samples and their unique characteristics from one another.

16. Claims 11-14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims since none of the prior art of record teaches or fairly suggests a method for screening a combinatorial array of lubricating oil/additive compositions for deposit formation by either heating a substrate to a first predetermined temperature and each of the samples to a second predetermined temperature, contacting the substrate with the samples and determining the amount of deposits formed on the substrate after a predetermined period of time, or by heating one end of a substrate to a first predetermined temperature and the opposite end to a second predetermined temperature, contacting the substrate with each of the samples in the array and determining the temperature at which deposits are formed on the substrate.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maureen M. Wallenhorst whose telephone number is 571-272-1266. The examiner can normally be reached on Monday-Thursday from 6:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden, can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maureen M. Wallenhorst
Primary Examiner
Art Unit 1743

mmw

May 5, 2006

Maureen M. Wallenhorst
MAUREEN M. WALLENHORST
PRIMARY EXAMINER
GROUP [redacted] 1700